

KAKP010006152026



**IN THE COURT OF PRL. DISTRICT & SESSIONS JUDGE
AT KOPPAL**

**Present: Sri C. CHANDRA SEKHAR, LL.M.,
Prl. District & Sessions Judge**

Dated this the 24th Day of March 2026

Crl. Misc. No.85/2026

PETITIONERS:

1. Pranesh S/o Galeppa Hosamani,
Age: 23 years, Occ: Coolie,
R/o Halavarti, Tq: Koppal, Dist: Koppal.
2. Raghavendra @ Nagendra S/o Virupakshappa Hosamani,
Age: 36 years, Occ: Coolie,
R/o Halavarti, Tq: Koppal, Dist: Koppal.
3. Santosh S/o Erappa Mangalore,
Age: 25 years, Occ: Coolie,
R/o Halavarti, Tq: Koppal, Dist: Koppal.

(By Sri M.H.A.-Advocate)

V/s

RESPONDENT:

State of Karnataka through
Koppal Rural Police Station

(By Public Prosecutor)

ORDER

Petitioners have filed this Petition U/Sec. 482 of Bharatiya Nagarik Suraksha Sanhita seeking pre-arrest bail.

2. The Petitioners are the Accused No.3, 4 and 7 in Crime No.39/2026 of Respondent Police Station for the offences punishable U/Secs. 109, 115(2), 191(2), 191(3), 118(2), 189(2), 352, 351(2) R/w Sec. 190 of Bharatiya Nyaya Sanhita, 2023.

3. In this Petition seeking pre-arrest bail, the Petitioners have urged various grounds stating that a false case has been foisted against them. The story put forth by the Complainant is false. There is no direct or indirect material placed before the Court to connect the Petitioners with the alleged crime. The offences alleged against the Petitioners are not punishable with death or imprisonment for life. The Petitioners are not having bad antecedents or criminal records. They are ready to co-operate with the Investigation and also abide by any conditions that would be laid down by this Court. Their arrest and remand to Judicial Custody would adversely affect their interest. Petitioners are residing in the address mentioned in the cause title, having movable and immovable assets and as such fleeing from justice would not arise. Therefore, it is prayed to grant pre-arrest bail.

4. The Public Prosecutor has filed objections stating that the Petitioners after committing the alleged offences are absconding and the said conduct itself shows that there is prima-facie case against them and this is not a fit case to grant relief of bail. The Petitioners have not urged any valid grounds seeking pre-arrest bail. The investigation is in progress and if Accused/Petitioners are given bail they will not co-operate with the investigation and might abscond. There are also chances of committing similar offences. Therefore, the Prosecution prays to reject the Petition.

5. I have heard the Counsel for the Petitioners and the Public Prosecutor.

6. By virtue of the above facts and circumstances, the points that arise for my determination are:

1. Whether the Petitioners/Accused Nos.3, 4 and 7 have made out any reasonable or substantial grounds for grant of pre-arrest bail?

2. What Order?

7. My finding on the above points are;

Point No.1 : In the **Affirmative**

Point No.2 : As per final Order for the following:

REASONS**Point No.1:**

8. It is the case of the Prosecution that on 06.01.2026 at about 8:30 p.m. on the occasion of Sri Gavisiddeshwara Fair, Koppal, Complainant/Sandeep Bhovi along with his friends Sudeep Bhovi, Abhishek and Kiran had been to the Koppal on the occasion of Sri Gavisiddeshwara Fair and during this event, Accused Nos.1 and 2 stamped on the leg of Complainant/Sandeep Bhovi, leading to a verbal altercation between them. In this background, on 22.02.2026 at about 4:15 p.m. when Complainant/Sandeep Bhovi along with his friends/Sudeep Bhovi, Abhishek and Kiran were talking with each other at Kunikeri road, Accused Nos.1 and 2 came towards K.P.R. Factory and wrongfully restrained them, abused in filthy language and tried to assault them with Beer bottle and threatened them with dire consequences. However, they escaped and fled away from the spot. Again, on the same day at about 7:00 p.m. when Complainant/Sandeep Bhovi and his friend/Kiran were talking with each other near Kalamandira, Accused Nos.1 to 8 along with 10-15 members on forming an unlawful assembly came there and surrounded them, abused them in filthy language, threatened them with dire consequences and assaulted them with clubs, iron rod, pushed them on the ground and amongst, Accused No.3/Pranesh kicked on the private organ of Complainant and also assaulted on his body and caused injuries. In the

said assault, his friend/Kiran also sustained injuries. It is also alleged that Accused had also threatened them with dire consequences.

9. The Prosecution has produced the copy of Wound Certificates of Injured before the Court. On perusal of Wound Certificates of Injured/Sandeep and Kirana, it appears that they have sustained simple injuries and treated on OPD basis. Except for the allegation that the Petitioners/Accused Nos. 3, 4 & 7 were present along with other Accused on 22.02.2026 near Kalamandir, there is no overt act alleged against him. The Prosecution has to prove that the Petitioners were present along with other Accused and had committed alleged offences at the time of trial. The alleged offences though are non-bailable, they are not punishable with death or imprisonment for life. Except for exaggerated allegation that there was an attempt to murder the Complainant and his friend/Kiran, there is no material on record to substantiate the same. The material on record does not attract Section 109 of B.N.S. Therefore, I am of the opinion that there is no impediment in granting pre-arrest bail.

10. On perusal of material on record, it appears that a counter case in Crime No.40/2026 is filed against the Complainant herein and his friends by the Accused No.2. In view of the case and counter cases and that there is no material at this stage as to who was the aggressor and it

can be determined only during trial of both the case and counter cases, I am of the opinion that bail Petition can be considered favourably.

11. It is not the case of the Prosecution that the Petitioners/Accused Nos.3, 4 & 7 are required for custodial interrogation by the Respondent Police for any purpose whatsoever. Further no recoveries have to be done through the Petitioners and as such, the bail Petition can be considered favorably.

12. The Petitioners/Accused Nos.3, 4 & 7 are permanent residents of the address mentioned in the cause title and the said fact is not disputed by the Prosecution. They have undertaken to furnish solvent surety and also abide by the conditions that would be laid down by this Court. The apprehension of the Prosecution can be met by imposing stringent conditions. As such, I am of the opinion that no prejudice would be caused to the Prosecution or the Complainant/injured if pre-arrest bail is granted to the Petitioners. Consequently, I answer point for consideration in the ***Affirmative***.

Point No.2:

13. In view of the above discussion, reasons stated and finding given to the point for consideration, the following order is passed.

ORDER

Petition filed U/Sec. 482 of Bharatiya Nagarik Suraksha Sanhita seeking pre-arrest bail is allowed.

In the event of their arrest by the Respondent Police in connection with Crime No.39/2026, the Petitioners/Accused Nos.3, 4 and 7 shall be released, after interrogation, on bail after obtaining self bonds for Rs.50,000/- each along with one surety for the like-sum.

The Petitioners/Accused Nos.3, 4 & 7 in addition shall comply the following:

CONDITIONS

1. The Petitioners shall surrender before the Respondent Police within 15 days from the date of this Order and co-operate with the investigation.
2. The Petitioners shall not threaten the Complainant, his family members or Prosecution witnesses.
3. The Petitioners shall not tamper with the evidence collected against them.

4. The Petitioners shall appear before the Investigation Officer as and when directed.

[Dictated to the Stenographer Gr-1 directly on computer, typed and computerized by her, corrected and then pronounced by me in the open Court on this the **24th** day of **March 2026**]

(C. CHANDRA SEKHAR)
Prl. District & Sessions Judge
Koppal